



Legislation Text

File #: 18-1567, Version: 1

Dept/ Agency: Economic and Housing Development

Action: () Ratifying (X) Authorizing () Amending

Type of Service: Declaring an Area in Need of Redevelopment

Purpose: Designating area in need of redevelopment

List of Property:

(Address/Block/Lot/Ward)

103 Jackson Street/Block 1990/Lot 11/East Ward

85-101 Jackson Street/Block 1990/Lot 35/East Ward

101-103 Van Buren Street/Block 1991/Lot 24/East Ward

176 Ferry Street/Block 1991/Lot 31/East Ward

174 Ferry Street/Block 1991/Lot 32/East Ward

170 Ferry Street/Block 1991/Lot 34/East Ward

94 Jackson Street/Block 1991/Lot 41/East Ward

90-92 Jackson Street/Block 1991/Lot 42/East Ward

98-104 Jackson Street/Block 1991/Lot 63/East Ward

Additional Information:

Resolution 7R2-d adopted on March 7, 2018, authorized and directed the Central Planning Board to conduct a preliminary investigation.

Resolution 7R2-b adopted on May 23, 2018, amended Resolution 7R2-d March 7, 2018, to include property at 85-101 Jackson Street/Block 1990/Lot 35 within the Study Area to be investigated.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., (the “Redevelopment Law”), authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

WHEREAS, on March 7, 2018, the Municipal Council of the City of Newark (the “Municipal Council”) adopted Resolution 7R2-b authorizing and directing the Newark Central Planning Board (the “Planning Board”) to conduct a preliminary investigation to determine whether certain properties, identified as: 103 Jackson Street, 101-103 Van Buren Street, 176 Ferry Street, 174 Ferry Street, 170 Ferry Street, 94 Jackson Street, 90-92 Jackson Street, 98-104 Jackson Street or any portions thereof (the “Study Area”), are considered an “area in need of redevelopment” according to the criteria set forth in N.J.S.A. 40A:12A-5 of the LRHL and should be designated as a Non-Condensation Redevelopment Area, as defined by the Redevelopment Law; and

WHEREAS, due to an error the property located at 85-101 Jackson Street, Block 1990, Lot 35 as identified on the Official Tax Map of the City of Newark was not included in the Study Area to be investigated; and

WHEREAS, on May 23, 2018, the Municipal Council rectified the oversight by adopting Resolution 7R2-b, which authorized and directed the Planning Board to include the property located at 85-101 Jackson Street, Block 1990, Lot 35 within the Study Area to be investigated; and

WHEREAS, the Planning Board conducted a preliminary investigation of the Study Area to determine whether the Study Area should be designated as a Non-Condemnation Area in Need of Redevelopment in accordance with the criteria and procedures set forth in N.J.S.A. 40A:12A-5 and 40A:12A-6; and

WHEREAS, a public hearing was conducted by the Planning Board on June 11, 2018, with notice having properly been given pursuant to N.J.S.A. 40A:12A-6(b)(3); and

WHEREAS, after completing its investigation and public hearing on this matter, the Planning Board concluded that there was sufficient credible evidence to support findings that the properties in the Study Area satisfy the criteria set forth in the Redevelopment Law, particularly at N.J.S.A. 40A:12A-5 et seq., for designating the Study Area as an Area in Need of Redevelopment; and

WHEREAS, 103 Jackson Street (Block 1990, Lot 11) in the Study Area met Criteria “b” in accordance with the Local Housing and Redevelopment Law (N.J.S.A. 40A:12A-1 et seq.); and

WHEREAS, 85-101 Jackson Street (Block 1990, Lot 35), 101-103 Van Buren Street (Block 1991, Lot 24), 176 Ferry Street (Block 1991, Lot 31), 174 Ferry Street (Block 1991, Lot 32), 170 Ferry Street (Block 1991, Lot 34), 94 Jackson Street (Block 1991, Lot 41), 90-92 Jackson Street (Block 1991, Lot 42), and 98-104 Jackson Street (Block 1991, Lot 63) in the Study Area met Criteria “d” in accordance with the Local Housing and Redevelopment Law (N.J.S.A. 40A:12A-1 et seq.); and

WHEREAS, in accordance with Redevelopment Law and as memorialized by Resolution dated July 23, 2018, the Planning Board recommended to the Municipal Council that the Study Area be designated as a Non-Condemnation Area in Need of Redevelopment; and

WHEREAS, the Municipal Council has reviewed the recommendation of the Planning Board and wishes to designate the properties in the Study Area as a Non-Condemnation Redevelopment Area pursuant to the Redevelopment Law; and

WHEREAS, the designation of the Study Area as a Non-Condemnation Redevelopment Area shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, other than the power of eminent domain; and

WHEREAS, in order to effectuate the Municipal Council’s designation of the Study Area as a Non-Condemnation Redevelopment Area, the adoption of a Redevelopment Plan by the Municipal Council by Ordinance is required pursuant to N.J.S.A. 40A:12A-7; and

WHEREAS, the Municipal Council desires to direct the Planning Board to prepare a Redevelopment Plan and transmit the proposed Plan to the Municipal Council for its consideration upon completion of the Planning Board’s review.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Municipal Council has reviewed the recommendation of the Planning Board and finds that: 103 Jackson Street (Block 1990, Lot 11), 85-101 Jackson Street (Block 1990, Lot 35), 101-

103 Van Buren Street (Block 1991, Lot 24), 176 Ferry Street (Block 1991, Lot 31), 174 Ferry Street (Block 1991, Lot 32), 170 Ferry Street (Block 1991, Lot 34), 94 Jackson Street (Block 1991, Lot 41), 90-92 Jackson Street (Block 1991, Lot 42), and 98-104 Jackson Street (Block 1991, Lot 63) (East Ward) as shown on the official tax map of the City of Newark (the "Properties") qualifies as an Area in Need of Redevelopment pursuant to the Local Housing and Redevelopment Law, N.J.S.A. 40A:12A-1 et seq.

2. The Properties are hereby designated as a Non-Condemnation Redevelopment Area in accordance with the relevant provisions of N.J.S.A. 40A:12A-1 et seq.

3. The designation of the Properties as a Non-Condemnation Redevelopment Area shall authorize the City to exercise all those powers provided by the Legislature for use in a Redevelopment Area, other than the power of eminent domain.

4. The City Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of New Jersey Department of Community Affairs for review, in accordance with N.J.S.A. 40A:12A-6(b)(5)(c).

5. Within ten (10) days of the adoption of this Resolution, the Department of Economic and Housing Development of the City of Newark shall serve notice of the determination of the Municipal Council and this Resolution upon all record owners of property within the Non-Condemnation Redevelopment Area, those whose names are listed on the Tax Assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of the determination and Resolution may be sent.

6. The Planning Board is hereby authorized and directed to create and transmit a Redevelopment Plan and Report to the Municipal Council pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. The Planning Board's report shall include an identification of any provisions in the proposed Redevelopment Plan, which are inconsistent with the Master Plan and recommendations concerning these inconsistencies and any other matters as the Planning Board deems appropriate.

7. This Resolution shall take effect immediately.

STATEMENT

This Resolution authorizes the Municipal Council to designate: 103 Jackson Street (Block 1990, Lot 11), 85-101 Jackson Street (Block 1990, Lot 35), 101-103 Van Buren Street (Block 1991, Lot 24), 176 Ferry Street (Block 1991, Lot 31), 174 Ferry Street (Block 1991, Lot 32), 170 Ferry Street (Block 1991, Lot 34), 94 Jackson Street (Block 1991, Lot 41), 90-92 Jackson Street (Block 1991, Lot 42), and 98-104 Jackson Street (Block 1991, Lot 63) (East Ward) as a Non-Condemnation Redevelopment Area and further directs the Planning Board to create and transmit a Redevelopment Plan and Report to the Municipal Council pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.